(3)

c.s. 1991

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.No. 218/ /2004

PETITIONER : Sayed Abdul Wahid,
S/o Shri Syed Abdul Hamid,
Aged about 19 years,
R/o Tikrapara, Sheorinarayan,
District- Janjgir Champa (C.G.).

P. R. No. 2173/04
Presented by Shri Farhan Jafri
dated 22-1-04

-Versus –

RESPONDENT : Chhattisgarh Higher Secondary
Board of Education, through
it's Secretary, Pension Bada,
Raipur (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION TO DO JUSTICE IN THE MATTER.

XI-HC-22

(36)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 2181 / 04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

21.9.2004

Petitioner by Shri Rajeev Shrivastava, Advocate.

Respondent by Shri H. B. Agarwal, Advocate.

Heard.

The petitioner has filed this petition under Article 226/227 of the Constitution of India being aggrieved by the action of the respondent whereby his request for revaluation of his answer sheet of Chemistry subject for the P.M.T. Examination 2004 has not been allowed. As there is no provision in the P.M.T. Rules regarding Revaluation and as per the latest decision of the Hon'ble Apex Court reported in 2004 AIR SCW 4541 (Pramod Kumar Shrivastava Vs. Chairman, Bihar Public Service Commission, Patna and others) in which it is held that where under the relevant rules if there is no provision that a candidate may be entitled to ask for re-evaluation of his answer book, then the Court cannot pass an order for re-evaluation.

In view of the above, I do not find any substance in this writ petition. The petition is liable to be dismissed and it is dismissed.

However, before parting with the order I would like to observe that number of petitions are being filed for revaluation of the answer sheets of P.M.T. Examination, in order to have faith of the students in the examination and evaluation system and to maintain transparency in the system the respondent/Board should try to device a system whereby as far as possible redressal of such grievance can be find out. For example after the examination is over

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(37)

आदेश पत्रक

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	the Board should publish model answer of all the questions so that the students would be able to know about the correctness of their answer, and at the same time if it is possible the Board may also device some system whereby in appropriate cases after charging some fees answer sheets can be shown to the candidate for his satisfaction. In the opinion of this Court if such a system is adopted then the Board will be able to maintain the transparency and it will be beneficial for the students to know their exact position, ultimately that will enhance the image of the Board. Sd/- L.C.BHADOO Judge	